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***PROPOSED COUNSEL TO THE DEBTORS AND  
DEBTORS IN POSSESSION***

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

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In re: )  
TOMMY'S FORT WORTH, LLC, *et al.*,<sup>1</sup> ) Chapter 11  
Debtors. ) Case No. 24-90000  
 ) (Jointly Administered)  
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**DECLARATION OF MATTHEW A. BORISCH  
REGARDING DISCLOSURE OF RETAINERS TO DEBTORS' PROFESSIONALS**

I, Matthew Borisch, hereby declare under penalty of perjury:

1. I am over the age of 18 and competent to testify as to the matters contained herein.

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Tommy's Fort Worth, LLC (3473); Tommy's Holding Company, LLC (2662); Tommy's Grand Rapids, LLC (9224); Tommy's Castaic, LLC (7501); Tommy's Lewisville, LLC (4750); High Country Watersports, LLC (6160); Walloon Lake Village Marina, LLC (0277); MKB Florida Holdings, LLC (5698); Tommy's Detroit, LLC (5242); Tommy's California Fresno, LLC (8597); Tommy's Phoenix, LLC (3036); Tommy's Las Vegas, LLC (7721); Tommy's Chattanooga, LLC (0839); Tommy's California Ventura, LLC (5149); Tommy's Rancho Cordova, LLC (1070); Tommy's Stockton, LLC (1338); and Tommy's Knoxville, LLC (8052).

2. I am the President of the “**Debtors**,” which collectively refers to Debtor Tommy’s Fort Worth, LLC and sixteen (16) of its affiliated Debtors: Tommy’s Fort Worth, LLC; Tommy’s Lewisville, LLC; Tommy’s Holding Company, LLC; Tommy’s Grand Rapids, LLC; Tommy’s Castaic, LLC; High Country Watersports, LLC; Walloon Lake Village Marina, LLC; MKB Florida Holdings, LLC; Tommy’s Detroit, LLC; Tommy’s California Fresno, LLC; Tommy’s Phoenix, LLC; Tommy’s Las Vegas, LLC; Tommy’s Chattanooga, LLC; Tommy’s California Ventura, LLC; Tommy’s Rancho Cordova, LLC; Tommy’s Stockton, LLC; and Tommy’s Knoxville, LLC (collectively, the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Cases**”).

1. On May 20, 2024, I directed Artemis Capital, LLC (“**Artemis**”) to wire a \$250,000 retainer to Gutnicki LLP and a \$300,000 retainer to Force Ten Partners to be used to prepare and commence the Debtors’ 17 bankruptcy cases.

2. The retainers were funded by a loan that I took out with Artemis for the purpose of funding retainers for Tommy’s professionals. The collateral for the loan is against my personal assets. I alone am the borrower of the loan. There is no guarantor.

3. Artemis is not related to, affiliated with, or owned or controlled by me, anyone related to me, or any of the Debtors, their affiliates, their insiders, or insiders of the Debtors’ affiliates. Other than this loan, I have no relationship with Artemis.

4. In addition to being the President of the Debtors, I own 100 percent of the following Debtors:

- a) Tommy’s Fort Worth, LLC
- b) Tommy’s California Fresno, LLC
- c) Tommy’s Castaic, LLC
- d) Tommy’s Chattanooga, LLC

- e) Tommy's Holding Company, LLC
- f) Tommy's Knoxville, LLC
- g) Tommy's Las Vegas, LLC
- h) h. Tommy's Lewisville, LLC
- i) i. Tommy's Phoenix, LLC
- j) j. Tommy's California Ventura, LLC

5. Further, I own 100 percent of the Matthew Allen Borisch Trust, which owns 100 percent of the following Debtors:

- a) High Country Watersports, LLC
- b) MKB Florida Holdings, LLC
- c) Tommy's Grand Rapids, LLC
- d) Walloon Lake Village Marina, LLC

6. Additionally, I own 100 percent of Debtor Tommy's Holding Company LLC, which owns 100 percent of the following Debtors:

- a) Tommy's Detroit, LLC
- b) Tommy's Rancho Cordova, LLC
- c) Tommy's Stockton, LLC

7. There is no request, obligation, duty, promise, or expectation that the Debtors repay the retainers.

I certify under penalty of perjury under the laws of the United States that, to the best of my knowledge and after reasonable inquiry, the foregoing is true and correct.

Executed this 28th day of June



Matthew A. Borisch